

**Exhibit 13: Proposed Answer of Proposed Intervenor
Defendants**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,

Defendants,

and

OSCAR SILVA PEREZ, *et al.*,

Intervenor-Defendants.

No.: 6:24-cv-0306

PROPOSED ANSWER OF PROPOSED INTERVENOR DEFENDANTS

Proposed Intervenor Defendants Oscar Silva Perez, Natalie Taylor, Salvador Doe, Justin Doe,¹ Carmen M. Miranda Zayas, Ricardo Ocampo Hernandez, Jessika Ocampo Hernandez, Foday Turay, Jaxhiel Turay, Genaro Vicencio Palomino, Cindy Siqueiros Maduena, and the Coalition for Humane Immigrant Rights (“CHIRLA”) answer the Plaintiffs Complaint (ECF No. 1). Proposed Intervenor Defendants’ answer corresponds to the numbered paragraphs of Plaintiffs’ Complaint.

1. This paragraph states a legal conclusion for which no response is required; to the extent a response is necessary, denied.

2. This paragraph states a legal conclusion for which no response is required; to the extent a response is necessary, denied.

¹ A motion for leave of the Court for Salvador Doe and Justin Doe to proceed under pseudonyms is being filed concurrently.

3. To the extent that this paragraph states a legal conclusion and argument, no response is response is required; to the extent a response is necessary, denied.

4. Denied.

5. Admit that the Keeping Families Together parole process is based on 8 U.S.C. § 1182(d)(5). The text of the cited Federal Register Notice and statute speaks for itself; to the extent Plaintiffs' characterization of the documents differs from the text, denied. The allegations in this paragraph stating legal conclusions require no response, but to the extent that one is required, denied.

6. The cited Federal Register Notice speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

7. This paragraph states a legal conclusion for which no response is required; to the extent a response is necessary, denied. The text of the cited cases, including in footnote 1, speak for themselves; to the extent Plaintiffs' characterization of the cases differs from the text, denied.

8. Denied.

9. Admitted.

10. Admitted.

11. Admitted.

12. Admitted.

13. Admitted.

14. Admitted.

15. Admitted.

16. Admitted.

17. Admitted.

18. Admitted.

19. Admitted.

20. Admitted.

21. Admitted.

22. Admitted.

23. Admitted.

24. Admitted.

25. The first sentence is admitted. The second sentence is a legal conclusion for which no response is required; to the extent a response is required, denied.

26. Admitted.

27. Admitted.

28. Admitted.

29. Admitted.

30. Admitted.

31. Admitted.

32. This paragraph asserts legal conclusions to which no responses are required. Intervenor Defendants specifically deny that this Court has jurisdiction.

33. Admit that this district and division is within the State of Texas, but otherwise denied.

34. This paragraph states a legal conclusion for which no response is required; to the extent a response is necessary, denied.

35. This paragraph states a legal conclusion for which no response is required, and the cited statute and opinion speak for themselves.

36. This paragraph states legal conclusions and arguments for which no response is required, and the cited statute speaks for itself. To the extent Plaintiffs' characterization of the statute differs from the text, denied. To the extent a response is otherwise necessary, denied.

37. This paragraph states legal conclusions and arguments for which no response is required, and the cited opinion speaks for itself. To the extent Plaintiffs' characterization of the opinion differs from the text, denied. To the extent a response is otherwise necessary, denied.

38. This paragraph states legal conclusions and arguments for which no response is required, and the cited public law and opinion speak for themselves. To the extent Plaintiffs' characterization of the documents differs from the text, denied. To the extent a response is otherwise necessary, denied.

39. This paragraph states legal conclusions and arguments for which no response is required, and the quoted legislative report speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. To the extent a response is otherwise necessary, denied.

40. This paragraph states legal conclusions and arguments for which no response is required, and the statutory provision and opinion cited speak for themselves. To the extent Plaintiffs' characterization of the statute differs from the text, denied. To the extent a response is otherwise necessary, denied.

41. This paragraph states legal conclusions and arguments for which no response is required, and the quoted opinion speaks for itself. To the extent Plaintiffs' characterization of the opinion differs from the text, denied. To the extent a response is otherwise necessary, denied.

42. This paragraph states legal conclusions and arguments for which no response is required, and the quoted opinion speaks for itself. To the extent Plaintiffs' characterization of the opinion differs from the text, denied. To the extent a response is otherwise necessary, denied.

43. This paragraph states legal conclusions and arguments for which no response is required, and the quoted statute speaks for itself. To the extent Plaintiffs' characterization of the statute differs from the text, denied.

44. This paragraph states legal conclusions and arguments for which no response is required, and the cited statute speaks for itself. To the extent Plaintiffs' characterization of the statute differs from the text, denied.

45. This paragraph states legal conclusions and arguments for which no response is required, and the cited statute speaks for itself. To the extent Plaintiffs' characterization of the statute differs from the text, denied.

46. This paragraph states legal conclusions and arguments for which no response is required, and the cited statute speaks for itself. To the extent Plaintiffs' characterization of the statute differs from the text, denied.

47. This paragraph states legal conclusions and arguments for which no response is required. To the extent a response is nonetheless required, denied.

48. This paragraph states legal conclusions and arguments for which no response is required, and the cited statute speaks for itself. To the extent Plaintiffs' characterization of the statute differs from the text, denied.

49. This paragraph states legal conclusions and arguments for which no response is required. To the extent a response is nonetheless required, denied.

50. Admit that a fact sheet with this date and title is posted on the White House website, but Intervenor Defendants otherwise lack sufficient information to admit or deny this paragraph.

51. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. Admit that the fact sheet discusses helping Latino families and communities.

52. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. Intervenor Defendants otherwise lack sufficient information to admit or deny this paragraph.

53. Intervenor Defendants lack sufficient information to admit or deny this paragraph.

54. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. Intervenor Defendants otherwise lack sufficient information to admit or deny this paragraph.

55. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. Intervenor Defendants otherwise lack sufficient information to admit or deny this paragraph.

56. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

57. Denied.

58. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

59. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

60. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

61. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

62. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. To the extent that this paragraph contains a legal conclusion, no response is required. To the extent that a response is otherwise necessary, denied.

63. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

64. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

65. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. To the extent that a response is otherwise necessary, denied.

66. This paragraph states legal conclusions and arguments to which no response is required. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. To the extent that a response is otherwise necessary, denied.

67. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. To the extent that a response is otherwise necessary, denied.

68. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

69. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied.

70. The cited document speaks for itself. To the extent Plaintiffs' characterization of the document differs from the text, denied. To the extent that a response is otherwise necessary, denied.

71. Denied.

72. The first two sentences are denied. Admit that there are parole programs for certain nationals of Cuba, Haiti, Nicaragua, and Venezuela that also have eligibility and processing

requirements. The cited opinion speaks for itself, and to the extent Plaintiffs' characterization of it differs from the text, denied. Intervenor Defendants lack sufficient information to admit or deny the allegation regarding the current approval rate.

73. The first sentence is denied. The second sentence states a legal conclusion to which no response is required, and the cited opinion speaks for itself; to the extent Plaintiffs' characterization of the opinion differs from the text, denied.

74. Denied.

75. This paragraph (including its footnote) contains legal arguments and conclusions to which no response is required. The cited statutes speak for themselves; to the extent Plaintiffs' characterization of the statutes differs from their text, denied.

76. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. The cited document speaks for itself; to the extent Plaintiffs' characterization of it differs from its text, denied.

77. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. The cited document speaks for itself; to the extent Plaintiffs' characterization of it differs from its text, denied.

78. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. The cited document speaks for itself; to the extent Plaintiffs' characterization of it differs from its text, denied.

79. Denied. The cited document speaks for itself.

80. The first three sentences are denied. The fourth sentence states legal conclusions to which no responses are required. Intervenor Defendants lack sufficient information to admit or deny the last sentence.

81. The first two sentences state legal conclusions to which no responses are required. Intervenor Defendants lack sufficient information to admit or deny the allegations in the third sentence. To the extent a response is required, denied.

82. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

83. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

84. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

85. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph; to the extent a response is required, denied.

86. Denied.

87. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

88. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

89. Denied. The cited document speaks for itself.

90. The first three sentences are denied. The fourth sentence states legal conclusions to which no responses are required. Intervenor Defendants lack sufficient information to admit or deny the last sentence.

91. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

92. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

93. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

94. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

95. Denied.

96. Denied. The cited document speaks for itself.

97. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

98. Denied.

99. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

100. Denied.

101. Denied. The cited document speaks for itself.

102. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

103. Denied.

104. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

105. Denied.

106. Denied. The cited document speaks for itself.

107. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

108. Denied.

109. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

110. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

111. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

112. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph.

113. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph.

114. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph.

115. Denied.

116. Denied. The cited document speaks for itself.

117. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

118. Denied.

119. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

120. Denied.

121. Denied. The cited document speaks for itself.

122. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

123. Denied.

124. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

125. Denied.

126. Denied.

127. Denied. The cited document speaks for itself.

128. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

129. Denied.

130. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

131. Denied.

132. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

133. Denied.

134. Denied. The cited document speaks for itself.

135. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

136. Denied.

137. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

138. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

139. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. The cited document speaks for itself.

140. Denied.

141. Denied. The cited document speaks for itself.

142. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

143. Denied.

144. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

145. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

146. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. The cited opinion speaks for itself. To the extent a response is required, denied.

147. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph.

148. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

149. Denied.

150. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

151. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

152. Denied.

153. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

154. Denied.

155. Denied. The cited document speaks for itself.

156. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

157. Denied.

158. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

159. Denied.

160. Denied. The cited document speaks for itself.

161. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

162. Denied.

163. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

164. Denied.

165. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

166. The first two sentences are denied. The last sentence states legal conclusions to which no responses are required.

167. Denied.

168. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

169. Denied.

170. Denied. The cited document speaks for itself.

171. The first two sentences are denied. The last sentence states legal conclusions to which no response is required.

172. Denied.

173. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

174. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

175. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied. This paragraph also is redundant.

176. Denied.

177. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

178. The first two sentences are denied. The last sentence states legal conclusions to which no response is required.

179. Denied.

180. Intervenor Defendants lack sufficient information to admit or deny the allegations in this paragraph. To the extent a response is required, denied.

181. Denied.

182. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

183. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

184. Denied.

185. This paragraph states a legal conclusion to which no response is required; to the extent a response is necessary, denied.

186. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

187. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

188. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

189. Denied.

190. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

191. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied. The cited documents speak for themselves.

192. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

193. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

194. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

195. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

196. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

197. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

198. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

199. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

200. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

201. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

202. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

203. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied. Intervenor Defendants lack sufficient information to admit or deny the last sentence, but to the extent a response is required, denied.

204. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied. Intervenor Defendants lack sufficient information to admit or deny the last sentence, but to the extent a response is required, denied.

205. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

206. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

207. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

208. Denied.

209. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

210. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

211. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

212. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

213. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

214. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

215. Denied.

216. Denied.

217. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

218. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

219. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

220. This paragraph states legal conclusions to which no responses are required.

221. This paragraph states a legal conclusion to which no response is required.

222. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

223. This paragraph states a legal conclusion to which no response is required.

224. This paragraph states a legal conclusion to which no response is required.

225. Denied.

226. Denied.

227. The first sentence is denied. The rest of this paragraph states legal conclusions to which no responses are required.

228. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

229. Denied.

230. Denied.

231. Denied.

232. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

233. Denied.

234. Denied.

235. Denied.

236. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied. The statute speaks for itself.

237. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

238. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

239. Denied.

240. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

241. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

242. Denied.

243. Denied.

244. Denied.

245. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

246. Denied.

247. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

248. This paragraph states legal conclusions to which no responses are required.

249. This paragraph states legal conclusions to which no responses are required.

250. This paragraph states legal conclusions to which no responses are required.

251. This paragraph states legal conclusions to which no responses are required.

252. Denied.

253. Denied.

254. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

255. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

256. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

257. The cited document speaks for itself; to the extent Plaintiffs' characterization of the document deviates from its text, denied.

258. The last sentence is denied. The rest of this paragraph states legal conclusions to which no responses are required.

259. Denied.

260. Denied.

261. The first and last sentences are denied. The rest of this paragraph states legal conclusions to which no responses are required.

262. Denied.

263. Denied.

264. Denied. To the extent that this paragraph contains legal conclusions, no response is required.

265. Denied.

266. The first and last sentences are denied. The rest of this paragraph states legal conclusions to which no responses are required.

267. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

268. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

269. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

270. This paragraph states legal conclusions to which no responses are required.

271. The first sentence states legal conclusions to which no responses are required. The second sentence is denied.

272. This paragraph states legal conclusions to which no responses are required.

273. Admit that the Notice did not go through notice and comment. This paragraph otherwise states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

274. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

275. This paragraph states legal conclusions to which no responses are required.

276. The cited document speaks for itself; to the extent Plaintiffs' characterization of the document deviates from its text, denied. This paragraph states legal conclusions to which no responses are required. Intervenor Defendants lack sufficient information to admit or deny the last sentence.

277. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

278. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

279. This paragraph states legal conclusions to which no responses are required.

280. This paragraph states legal conclusions to which no responses are required.

281. This paragraph states legal conclusions to which no responses are required. Intervenor Defendants lack sufficient information to admit or deny the factual allegations.

282. This paragraph states legal conclusions to which no responses are required.

283. This paragraph states legal conclusions to which no responses are required.

284. This paragraph states legal conclusions to which no responses are required.

285. This paragraph states legal conclusions to which no responses are required.

286. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

287. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

288. This paragraph states legal conclusions to which no responses are required; to the extent a response is necessary, denied.

289. This paragraph states legal conclusions to which no responses are required.

290. Denied.

291. Denied.

292. This paragraph states legal conclusions to which no responses are required. Intervenor Defendants lack sufficient information to admit or deny the factual allegations.

293. Intervenor Defendants lack sufficient information to admit or deny this paragraph.

294. This paragraph states legal conclusions to which no responses are required. The cited opinion speaks for itself; to the extent Plaintiffs' characterization of the opinion deviates from its text, denied.

295. This paragraph states legal conclusions to which no responses are required. The cited opinion speaks for itself; to the extent Plaintiffs' characterization of the opinion deviates from its text, denied.

296. Denied.

297. Denied.

298. Denied.

299. Denied.

300. Denied.

301. Intervenor Defendants likewise incorporate by reference their answers to the preceding allegations as if fully set forth herein.

302. This paragraph states legal conclusions to which no responses are required.

303. Denied.

Proposed Intervenor deny that Plaintiffs are entitled to any of the relief demanded in the “DEMAND FOR RELIEF.”

INTERVENOR DEFENDANTS’ DEFENSES

Any allegations not specifically admitted or denied are hereby denied. For further and separate answer, Proposed Intervenor allege the following defenses to the claims made by Plaintiffs in their Complaint, subject to Proposed Intervenor’s right to amend and assert such other defenses during the pendency of this action.

First Defense: Lack of Article III Standing

This Court lacks subject matter jurisdiction over Plaintiffs’ claims because Plaintiffs have not alleged and cannot prove that Defendants’ actions have or likely will cause them any injury in fact that this Court can redress. To be clear, Plaintiffs have not alleged and cannot prove any of the three elements necessary for standing: a concrete and particularized injury in fact; that any such injury was caused or likely will be caused by the Keeping Families Together Parole process (“Keeping Families Together Parole” or “KFT Parole”) they challenge, which does not regulate or otherwise apply to Plaintiffs; and that this Court can order any relief that would redress Plaintiffs’ claimed injuries. *See* Implementation of Keeping Families Together (“KFT FRN”), 89 Fed. Reg. 67459 (Aug. 20, 2024). In addition, Plaintiffs’ suit is not “of the kind ‘traditionally redressable in federal court.’” *FDA v. Alliance for Hippocratic Med.*, 602 U.S. 367, 381 n.1 (2024) (quoting *United States v. Texas*, 599 U.S. 670, 676 (2023)).

Second Defense: Failure to State a Claim

Each of Plaintiffs' claims, as set out in the Complaint, fails to allege facts sufficient to constitute a claim against Defendants upon which relief can be granted.

Third Defense: Lack of Irreparable Injury

Plaintiffs are not entitled to any injunctive relief, as the only asserted bases for injury in fact are monetary.

Fourth Defense: Failure to Join Necessary Parties

Plaintiffs have failed to join persons—those who, unlike Plaintiffs, are directly impacted by KFT Parole—who have interests relating to the subject of this action and are so situated that resolving Plaintiffs' claims in their absence would impair or impede their ability to protect their interests and would leave Defendants subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations.

PRAYER

WHEREFORE, Intervenor Defendants respectfully ask that the Court: (1) dismiss the Complaint with prejudice; (2) enter judgment in favor of Defendants and Intervenor Defendants; and (3) grant defendants such further relief as the Court deems just and proper.

Dated: August 26, 2024

Respectfully submitted,

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